

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

**DARRYL PERRY** : CIVIL NO. 1:18-CV-870  
:  
**Plaintiff** : (Chief Judge Conner)  
:  
**v.** :  
:  
**DAVID J. EBBERT, et al.** :  
:  
**Defendants** :

**ORDER**

AND NOW, this 29th day of March, 2019, upon consideration of defendants' motion (Doc. 11) to dismiss or, in the alternative, for summary judgment, and for the reasons set forth in the court's memorandum of the same date, it is hereby ORDERED that:

1. The motion (Doc. 11) for summary judgment is GRANTED.
2. The Clerk of Court is directed to ENTER judgment in favor of defendants David Ebbert and Andrew Edinger, and against plaintiff.
3. The action against Christopher Lee is DISMISSED pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. See FED. R. CIV. P. 4(m).
4. The Clerk of Court is directed to CLOSE this case.
5. Any appeal from this order is DEEMED frivolous and not in good faith. See 28 U.S.C. § 1915(a)(3).

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania